

CLAIMS

The following is a detailed listing of all claims that are, or were, in the application. A status identifier is provided for every claim and the current text of every claim is presented, unless the claim has been cancelled. Current amendments to the claims are expressed in the detailed listing by strikethrough or double-brackets (for deleted matter) or underlining (for added matter).

1. (Currently Amended) A method of facilitating a transaction, comprising:
determining a first transaction involving a first consumer and a merchant;
determining a transferable item price established between the first consumer
and the merchant during the first transaction;
associating, ~~in a memory of a computing device, a~~ the transferable item price
with a the first consumer; and
determining, via a computing device, that the first consumer has transferred
the transferable item price to a second consumer who was not involved in the first
transaction, thereby determining that a the second consumer is entitled to purchase,
in a second transaction, an item in exchange for payment of an amount based on
the transferable item price;
~~wherein the second consumer is entitled to purchase the item in~~
~~exchange for payment of the amount because the first consumer transferred an~~
~~entitlement to the transferable item price to the second consumer and irrespective~~
~~of whether the second consumer would otherwise be entitled to purchase the item~~
~~in exchange for payment of the amount.~~
2. (Original) The method of claim 1, further comprising:
determining the transferable item price associated with the first consumer.

3. (Original) The method of claim 2, wherein the determination of the transferable item price is based on an offer received from the first consumer to purchase the item in exchange for payment of an offer price, the transferable item price being based on the offer price.
4. (Original) The method of claim 3, wherein the offer received from the first consumer comprises a binding offer and the offer price is defined by the first consumer.
5. (Original) The method of claim 4, wherein the first consumer defines the offer price via: (i) entering the offer price, or (ii) selecting the offer price from a list of suggested prices.
6. (Original) The method of claim 5, wherein said associating is only performed if the offer received from the first consumer is accepted.
7. (Original) The method of claim 2, wherein the determination of the transferable item price is based on the first consumer purchasing the item in exchange for payment of a purchase price, wherein the transferable item price is based on the purchase price.
8. (Original) The method of claim 2, wherein the determination of the transferable item price is based on an auction bid received from the first consumer.
9. (Original) The method of claim 2, wherein the determination of the transferable item price is based on a price at which a third party offers to sell a similar item.

10. (Original) The method of claim 2, wherein an item price varies over time and the determination of the transferable item price is based on a time that the first consumer: (i) provides an offer, or (iii) purchases the item.

11. (Original) The method of claim 1, wherein the item is available for sale at a retail price and the transferable item price is different than the retail price.

12. (Original) The method of claim 1, wherein said associating comprises:
determining if the transferable item price may be associated with the first consumer.

13. (Original) The method of claim 12, wherein the determination if the transferable item price may be associated with the first consumer is based on information associated with the first consumer.

14. (Original) The method of claim 13, wherein the information associated with the first consumer comprises at least one of: (i) an address, (ii) demographic information, (iii) psychographic information, (iv) a prior transaction, and (v) a credit rating.

15. (Original) The method of claim 12, wherein the determination if the transferable item price may be associated with the first consumer is based on information associated with the second consumer.

16. (Original) The method of claim 12, wherein the determination if the transferable item price may be associated with the first consumer is based on information associated with the item.

17. (Original) The method of claim 16, wherein the information associated with the item comprises at least one of: (i) the item, (ii) a cost associated with the item, (iii) a retail price associated with the item, (iv) the transferable item price, and (v) a subsidy associated with the item.

18. (Original) The method of claim 12, wherein the determination if the transferable item price may be associated with the first consumer is based on payment of a transfer fee amount by the first consumer.

19. (Original) The method of claim 12, wherein the determination if the transferable item price may be associated with the first consumer is based on a task to be performed by the first consumer.

20. (Original) The method of claim 19, wherein the task comprises at least one of: (i) applying for a service, (ii) subscribing to a service, (iii) receiving information, and (iv) providing information.

21. (Original) The method of claim 1, wherein the determination that the second consumer is entitled to purchase the item in exchange for payment of the amount based on the transferable item price is based on information received from the first consumer.

22. (Original) The method of claim 21, wherein the information received from the first consumer is received via at least one of: (i) an e-mail message, (ii) a Web page, (iii) a portable consumer device, (iv) personal digital assistant, (v) a telephone, (vi) an interactive voice response unit, (vii) a point of sale terminal, (viii) an automatic teller machine, and (ix) a kiosk.

23. (Original) The method of claim 21, wherein said determining comprises:
receiving a consumer identifier from the first consumer, the consumer identifier being associated with the second consumer.

24. (Original) The method of claim 23, wherein the received consumer identifier comprises at least one of: (i) an e-mail address, (ii) a name, (iii) a postal address, (iv) a telephone number, (v) a user name, and (vi) a payment identifier.

25. (Original) The method of claim 23, further comprising:
receiving from the second consumer a second consumer identifier; and
comparing (i) the consumer identifier received from the first consumer and (ii) the second consumer identifier.

26. (Original) The method of claim 23, further comprising:
transmitting a transferable item price code to the second consumer based on the consumer identifier received from the first consumer.

27. (Original) The method of claim 1, wherein the determination that the second consumer is entitled to purchase the item in exchange for payment of the amount based on the transferable item price is based on information received from the second consumer.

28. (Original) The method of claim 27, wherein the information received from the second consumer is received via at least one of: (i) an e-mail message, (ii) a Web page, (iii) a portable consumer device, (iv) personal digital assistant, (v) a telephone, (vi) an interactive voice response unit, (vii) a point of sale terminal, (viii) an automatic teller machine, and (ix) a kiosk.

29. (Original) The method of claim 27, further comprising:
transmitting a transferable item price code to the first consumer.
30. (Original) The method of claim 29, further comprising:
receiving the transferable item price code from the second consumer.
31. (Original) The method of claim 30, further comprising:
verifying the transferable item price code received from the second consumer.
32. (Original) The method of claim 31, further comprising:
comparing (i) the transferable item price code transmitted to the first consumer and (ii) the transferable item price code received from the second consumer.
33. (Original) The method of claim 29, wherein the transferable item price code is encrypted.
34. (Original) The method of claim 33, wherein the transferable item price code is encrypted using a hash function.
35. (Original) The method of claim 29, wherein the transferable item price code indicates at least one of: (i) the transferable item price, (ii) the first consumer, (iii) the second consumer, and (iv) a transaction time.

36. (Original) The method of claim 27, wherein said determining comprises:
receiving a consumer identifier from the second consumer, the consumer identifier being associated with the first consumer.
37. (Original) The method of claim 36, wherein the received consumer identifier comprises at least one of: (i) an e-mail address, (ii) a name, (iii) a postal address, (iv) a telephone number, (v) a user name, and (vi) a payment identifier.
38. (Original) The method of claim 36, further comprising:
retrieving the transferable item price based on the consumer identifier received from the second consumer.
39. (Original) The method of claim 1, wherein the determination that the second consumer is entitled to purchase the item in exchange for payment of the amount based on the transferable item price is based on a restriction associated with the transferable item price.
40. (Original) The method of claim 39, wherein the restriction is based on information associated with the second consumer.
41. (Original) The method of claim 40, wherein the information associated with the second consumer comprises at least one of: (i) an address, (ii) demographic information, (iii) psychographic information, (iv) a prior transaction and (v) a credit rating.
42. (Original) The method of claim 39, wherein the restriction is based on information associated with the first consumer.

43. (Original) The method of claim 39, wherein the restriction is based on at least one of: (i) a predetermined date, and (ii) a predetermined period of time.

44. (Original) The method of claim 39, wherein the restriction is based on at least one of: (i) a predetermined number of consumers who use the transferable item price, (ii) a predetermined number of items sold at the transferable item price, and (iii) a predetermined monetary amount.

45. (Original) The method of claim 39, wherein the restriction is based on a task to be performed by at least one of: (i) the first consumer, and (ii) a second consumer.

46. (Original) The method of claim 45, wherein the task comprises at least one of: (i) applying for a service, (ii) subscribing to a service, (iii) receiving information, and (iv) providing information.

47. (Original) The method of claim 1, wherein the determination that the second consumer is entitled to purchase the item in exchange for payment of the amount based on the transferable item price is based on payment of a transfer fee amount by the second consumer.

48. (Original) The method of claim 1, wherein the first consumer is allowed to purchase the item at the transferable item price even if the second consumer purchases the item at the transferable item price.

49. (Original) The method of claim 1, wherein the first consumer is prevented from purchasing the item at the transferable item price if the second consumer purchases the item at the transferable item price.

50. (Original) The method of claim 1, wherein the transferable item price is dynamic.

51. (Original) The method of claim 50, wherein the transferable item price changes based on: (i) a period of time, (ii) a number of consumers who use the transferable item price, and (iii) a number of items sold at the transferable item price.

52. (Original) The method of claim 1, further comprising:

arranging for the second consumer to purchase the item in exchange for providing payment of the amount based on the transferable item price.

53. (Original) The method of claim 52, further comprising:

providing a benefit to at least one of (i) the first consumer and (ii) the second consumer based on said arranging.

54. (Original) The method of claim 52, wherein the transferable item price is based on a purchase made by the first consumer, and the item purchased by the second consumer is different than an item purchased by the first consumer.

55. (Original) The method of claim 52, wherein the transferable item price is based on a purchase made by the first consumer, and a number of items purchased

by the second consumer is different than a number of items purchased by the first consumer.

56 – 64 (Cancelled)

65. (Currently Amended) An apparatus for facilitating a transaction, comprising:

a processor; and

a storage device in communication with said processor and storing instructions adapted to be executed by said processor to:

determine a first transaction involving a first consumer and a merchant;

determine a transferable item price established between the first consumer and the merchant during the first transaction;

associate a the transferable item price with a the first consumer; and

determine that the first consumer has transferred the transferable item price to a second consumer who was not involved in the first transaction, thereby determine determining that a the second consumer is entitled to purchase, during a second transaction, an item in exchange for payment of an amount based on the transferable item price;

~~wherein the second consumer is entitled to purchase the item in exchange for payment of the amount because the first consumer transferred an entitlement to the transferable item price to the second consumer and irrespective of whether the second consumer would otherwise be entitled to purchase the item in exchange for payment of the amount.~~

66. (Original) The apparatus of claim 65, wherein said storage device further stores at least one of: (i) transferable item price code database, and (ii) a second consumer database.

67. (Original) The apparatus of claim 65, further comprising:

a communication device coupled to said processor and adapted to communicate with at least one of: (i) a consumer device, (ii) a merchant device, and (iii) a controller.

68. (Currently Amended) A medium storing instructions adapted to be executed by a processor to perform a method of facilitating a transaction, said method comprising:

determining a first transaction involving a first consumer and a merchant;
determining a transferable item price established between the first consumer
and the merchant during the first transaction;

associating a the transferable item price with a the first consumer; and
determining that the first consumer has transferred the transferable item
price to a second consumer who was not involved in the first transaction, thereby
determining that a the second consumer is entitled to purchase, during a second
transaction, an item in exchange for payment of an amount based on the
transferable item price;

~~wherein the second consumer is entitled to purchase the item in~~
~~exchange for payment of the amount because the first consumer transferred an~~
~~entitlement to the transferable item price to the second consumer and irrespective~~
~~of whether the second consumer would otherwise be entitled to purchase the item~~
~~in exchange for payment of the amount.~~

69 and 70 (Cancelled)